

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In Re:	:	BK Case No. 25-70001-JAD
	:	(Jointly Administered)
WILSON CREEK ENERGY, LLC, et al., ¹	:	
	:	Chapter 11
	:	
_____ Debtors.	:	The Honorable Jeffery A. Deller
	:	
WILSON CREEK ENERGY, LLC, et al.,	:	Related to Doc. Nos. 116, 193, 213 & 282
Movant,	:	
	:	Hearing Date and Time:
v.	:	March 12, 2025, at 9:00 am
	:	
KIA II, LLC; KEYBANK NATIONAL		Response Deadline:
ASSOCIATION; LSQ FUNDING GROUP,		February 24, 2025, at 4:00 pm EST
L.C.; R&D SVONAVEC VENTURES, LLC;		
BILL MILLER EQUIPMENT SALES;		
CLEVELAND BROTHERS EQUIPMENT;		
AND PRIME ALLIANCE BANK, INC., as		
Assignee of WINGSPIRE EQUIPMENT		
FINANCE,		
_____ Respondents.		

**ROCKWOOD CASUALTY INSURANCE CO.'S AMENDED LIMITED
OBJECTION AND RESERVATION OF RIGHTS TO MOTION TO APPROVE
SALE OF SUBSTANTIALLY ALL ASSETS FREE AND CLEAR OF LIENS,
CLAIMS, ENCUMBRANCES, AND INTERESTS AND NOTICE OF
EXECUTORY CONTRACTS THAT MAY BE ASSUMED AND ASSIGNED
IN CONNECTION WITH THE SALE TRANSACTIONS**

Rockwood Casualty Insurance Co. ("Rockwood") tenders this Amended Limited Objection and Reservation of Rights (the "Amended Objection") to *Motion for Entry of Orders (A) Approving Sale of All or Substantially All of the Debtors' Assets Free and Clear of All Liens, Claims, Encumbrances, and Interests, (B) Approving Bidding Procedures for the Sale of All or*

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number are: Wilson Creek Energy (6202); Wilson Creek Holding, Inc. (7733); Maryland Energy Resource, LLC (5299); Mincorp Acquisition Corp. (4858); Mincorp Inc. (5688); PBS Coals, Inc. (2413); Roxcoal, Inc. (3768); Quecreek Mining, Inc. (1745); Croner, Inc. (0529); Elk Lick Energy, Inc. (8551); and Corsa Coal Corp. (0027). The Debtors' address is 1576 Stoystown Road, Friedens, Pennsylvania 15541.

Substantially All of the Debtors' Assets, (C) Authorizing the Debtors to Designate Stalking Horse Bidder and Approving Proposed Stalking Horse Bid Protections, (D) Scheduling Auction for and Hearing to Approve Sale of the Debtors' Assets, (E) Approving Form and Manner of Notice of Sale, Auction, and Sale Order Hearing, (F) Approving Assumption and Assignment Procedures, (G) Authorizing Assumption and Assignment of Executory Contracts and Unexpired Leases, and (H) Granting Related Relief (Doc. No. 116) (the "Sale Motion") and *Notice of Executory Contracts that may be Assumed and Assigned in Connection with the Sale Transactions* (Doc. No 213) (the "Notice"), of which the following is a statement:

1. The Debtors commenced these bankruptcy proceedings with the filing of Chapter 11 petitions on January 6, 2025. Pursuant to a first day motion filed by the Debtors, the Cases are being jointly administered under the above-styled proceeding.

2. On January 16, 2025, the Debtors filed the Sale Motion.

3. The Bankruptcy Court entered an order approving the bid procedures and other relief on January 28, 2025 (Doc. No. 193) (the "Order").

4. In connection therewith on February 3, 2025, Debtors also filed the Notice, which identifies Rockwood's contracts on Schedule 1, pp.8-9.

5. Rockwood herein objects to the sale and/or assumption/assignment of its contracts because Rockwood is contracted to provide workers compensation coverage, which in most cases is statutorily prohibited from being assigned.

6. Rockwood is willing to speak further with Debtors or any potential purchasers about this but files this objection out of an abundance of caution to make its position clear to all interested parties.

7. Rockwood herein reserves any rights to demand a cure amount and/or adequate protection. The applicable premium(s) on these contracts are paid in arrears, thus no amount is currently outstanding. Whether arrears may exist as of the date of assumption/assignment is yet to be determined.

8. Rockwood further reserves any rights to argue whether its contracts are executory such that they can be assumed/assigned under Section 365 of the Bankruptcy Code.

WHEREFORE, Rockwood objects and requests that all of their rights be deemed to have been reserved pending final orders on the Sale Motion, Notice, and/or any related pleadings and expressly reserve and preserve all rights to raise any object to the requested relief.

LEECH TISHMAN FUSCALDO & LAMPL, LLC

Dated: February 24, 2025

By: /s/ John M. Steiner

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*Counsel for Creditor, Rockwood Casualty
Insurance Co.*

CERTIFICATE OF SERVICE

I, the undersigned, am an individual eighteen years of age or older, hereby certify that on this 24th day of February, 2025, I caused the foregoing document to be served on all parties receiving notice and service in this case through the Court's CM/ECF electronic filing service, which served the same on the parties receiving notice via the CM/ECF system.

LEECH TISHMAN FUSCALDO & LAMPL,
LLC

By: /s/ John M. Steiner

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